

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventors:

Akihiko YOSHIDA, et al.

Application No.:

10/508,971

Filed:

September 24, 2004

For:

ELECTROLYTE MEMBRANE-ELECTRODE ASSEMBLY, FUEL

CELL USING THE SAME AND PRODUCTION METHOD

THEREOF

COVER LETTER

Assistant Commissioner of Patents Washington, DC 20231

Sir:

Pursuant to MPEP 602, this cover letter accompanies the attached Declaration for Patent Application in the above-captioned application. The attached Declaration identifies the title which was on the specification as filed. This cover letter accurately identifies the application for which the attached Declaration was intended as application number 10/508,971.

Early and favorable consideration of this application is respectfully requested.

Respectfully submitted,

Date: November 10, 2004

Jame's E. Ledbetter

Registration No. 28,732

JEL/att

ATTORNEY DOCKET NO. <u>L7990.04103</u> STEVENS, DAVIS, MILLER & MOSHER, L.L.P.

1615 L Street, NW, Suite 850 P.O. Box 34387

Washington, DC 20043-4387 Telephone: (202) 785-0100 Facsimile: (202) 408-5200

APPLICATION FOR UNITED STATES **Declaration for Patent Application**

As a below named inventor, I hereby declare that:

METHOD THEREOF the specification of which

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: 1 ELECTROLYTE MEMBRANE-ELECTRODE ASSEMBLY, FUEL CELL USING THE SAME AND PRODUCTION

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Use this portion only if you are entering the U.S. National phase 8 Number PCT/JP03/03662 Number PCT/JP03/0362 Number	(check at least one)	3 [1	is attached hereto					
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below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior applications is the U.S. National phase of the PCT application application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between filing date of the prior application and the national or PCT international filing date of this application. 12 (U.S. Parent Application (Parent Filing Date) Status (patented, pending, abandoned) or PCT Parent Number)									
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I hereby appoint the following attorneys of the firm of Stevens, Davis, Miller & Mosher, L.L.P. as my attorneys of record with full power of substitution and revocation to prosecute this application and to transact all business in the Patent and Trademark Office: James E. Ledbetter, Reg. No. 28732; Thomas P. Pavelko, Reg. No. 31689; and Anthony P. Venturino, Reg. No. 31674. ALL CORRESPONDENCE IN CONNECTION WITH THIS APPLICATION SHOULD BE SENT TO STEVENS, DAVIS, MILLER & MOSHER, L.L.P., 1615 L Street, N.W., Suite 850, Washington, D.C. 20036, TELEPHONE (202) 408-5100, FACSIMILE (202) 408-5200.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful statements may jeopardize the validity of the application or any patent issuing thereon

154	of Sole or First Inventor	_ Akih	iiko		YOSHIDA
8		Given N		dle Name	Family Name
Ma	Inventor's Signature	n <u>ak</u>	itike		Grashida
15a	Date of Signature	n Oct	tober	1-th	2004
	Javo da dagament	Month	Day	•	Year
16a	Residence	Hirakata City		Osaka te or Province	Japan JPX Country
17a	Citizenship	Japan			
18a	Post Office Address (Insert complete mailing address, including country)	46-1-408, Yan	nadaikehigashimachi, Hi	rakata-shi, Osaka 57	73-0165 Japan
13b	Typewritten Full Name	Vo	ahihina		HODI
0	of Second Inventor	Given N	shihiro Iame Mide	dle Name	HORI Family Name
7 14b	Inventor's Signature	л <u>У</u>	oshihiro /o	fori	
15b	Date of Signature	Λ (oshihiro /9 October	4th	2004
150	Date of digitature	Month	Day		Year
16b	Residence	Ikoma-S City	shi	Nara State or Province	Japan JPX Country
17b	Citizenship	Japan_			
18b	Post Office Address (Insert complete mailing address, including country)	1-5, Hikarigad	oka 3-chome, Ikoma-shi	. <u>N</u> ara 630-0141 Jap	an
13c	Typewritten Full Name				
	of Third Inventor	<u>Mak</u> Given N			CHIDA mily Name
140	Investoria Simotore	9	ale tu (a	hli da	mily Name
14c	Inventor's Signature	Λ <u>/νι</u>		y water	
カ/	Date of Signature	Λ <u>()</u> Month	of oper Day	446	Year
16c	Residence	Hirakata-S		Osaka	Japan JPX
17c	Citizenship	City	State	or Province	Country
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18c	Post Office Address (Insert complete mailing address, including country)	2-16-2, Koga	neno, Hirakata-shi, Osal	<u>ta 573-1145 Japan</u>	

^{*}Note to Inventor: Please sign name on line 14 exactly as it appears in line 13 and insert the actual date of signing on line 15. If there are more than four inventors, please add a copy of this page for identification and signatures for the additional inventors.

	13d)	Typewritten Full Name of Fourth Inventor		Eiichi Given Name	Middle Name	YASUMOTO Family Name
7	144	La carta de Circatana		Giche T	la sumata	rainity Name
X	14d	Inventor's Signature	٨	0-1	a l	7-1
•	15d	Date of Signature	٨	<u>Uctober</u>	4th	2004
				Month	Day	Year
	16d	Residence		Soraku-gun City	Kyoto State or Province	Japan JPX Country
	17d	Cisi-s-shi-		•	State of Trovines	County
	1/4	Citizenship		Japan		
	18d	Post Office Address (Insert complete mailing address, including country)	4-2	<u>5-13, Seikadai, Seikacho, S</u>	oraku-gun, Kyoto 619	-0238 Japan
	13e	Typewritten Full Name				
		of Fifth Inventor		Yasuo Given Name	Middle Name	TAKEBE Family Name
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_,€	14e	Inventor's Signature	٨	yamo		Takele
>′	15e	Date of Signature	٨	19ctober	6 th	2004
	150	Date of dignature	11	Month	Day	Year
	16e	Residence		Uji-shi	<u>Ky</u> oto	Japan プアX
				City	State or Province	Country
	17e	Citizenship		Japan		
	18e	Post Office Address (Insert complete mailing address, including country)	_16-	-2, Kowata-Higashinaka, Uj	i-shi, Kyoto 611-0002	Japan
	13f	Typewritten Full Name				
		of Sixth Inventor		_Osamu		SAKAI
				Given Name	Middle Name	Family Name
2	14f	Inventor's Signature	٨	Osamu		Sakai
)	15f	Date of Signature	Λ	October	5th	2004
$\dot{\varphi}$				Month	Day	Year
•	16f	Residence		Moriguchi-shi	Osaka	Japan JPX
				City	State or Province	Country
	17f	Citizenship	**********	Japan		
	18f	Post Office Address (Insert complete mailing address, including country)	1-8-2	20-402, Hashibanishinomac	hi, Moriguchi-shi, Osa	ka 570-0039 Japan

^{*}Note to Inventor: Please sign name on line 14 exactly as it appears in line 13 and insert the actual date of signing on line 15. If there are more than four inventors, please add a copy of this page for identification and signatures for the additional inventors.

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130	Typewritten Full Name of Seventh Inventor		Shinya		KOSAKO
	or co. ordin myomor		Given Name	Middle Name	Family Name
Y			C/ /		10 0
140	Inventor's Signature	Shinya KOSAI Given Name Middle Name Family Notor's Signature A Shinya Kosak of Signature A Shinya Kosak October Sth Zoo-6 Month Day Year City State or Province Country Japan Room C502, 2-3-1, Shinohara-obanoyamacho, Nada-ku, Kobe-shi, Higher Family Notor's Signature A Shakhi Signature A Shakhi Signature A Shakhi Signature A Shakhi Signature A Ottober High State or Province City State or Province Country Japan Office Address a complete mailing sincluding country) written Full Name and Inventor Mino-shi Osaka Japan City State or Province Country written Full Name and Inventor Masaki YAMAI Given Name Middle Name Family Notor's Signature A Ottober Hill Name and Inventor Masaki YAMAI Given Name Middle Name Family Notor's Signature A October Hill Name and Inventor Masaki YAMAI Given Name Middle Name Family Notor's Signature A October Hill State or Province Country Month Day Year Month Day Year	Kosako		
150	Date of Signature	Λ	October	5th	2004
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160	I Residence		Kobe-Shi,	Hyogo	$_{ m Japan}$ $\overline{\it JP}\!$
170	I Citizenship		Japan		
180	Post Office Address (Insert complete mailing address, including country)	<u>Roc</u>	om C502, 2-3-1, Shinoh	ara-obanoyamacho, Nada	ı-ku, Kobe-shi, Hyogo 657-0
130	Typewritten Full Name of Eighth Inventor			MILE M	YONAMINE
5			_	Middle Name	·
146	Inventor's Signature	Λ	gohishi.		Jonamine
ر 15	Date of Signature	٨	Ortober	4th	2004
			Month	Day	Year
166	Residence				
			City	State or Province	Country
176	Citizenship]	Japan		
186	Post Office Address (Insert complete mailing address, including country)	_A2	205, 15, Niina 5-chome,	Mino-shi, Osaka 562-000	05 Japan
131	Typewritten Full Name				
	of Ninth Inventor			NO.111 N	YAMAUCHI
3				Middle Name	
5 141 i	Inventor's Signature	٨	<u> Masaki</u>		<u> Yamauchi</u>
151	Date of Signature	Λ	October	4th	2004
			Month	Day	Year
16	Residence		Hirakata-shi		
			City	State or Province	Country
17	Citizenship	<u>J</u>	apan		
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^{*}Note to Inventor: Please sign name on line 14 exactly as it appears in line 13 and insert the actual date of signing on line 15. If there are more than four inventors, please add a copy of this page for identification and signatures for the additional inventors.

>	13d	. Typewritten Full Name					
	150	of Tenth Inventor		Yasushi		SUGAWARA	
				Given Name	Middle Name	Family Name	
\	14d	Inventor's Signature	٨	Masushi		Sugawara	
	15d	Date of Signature	٨	October	4th	z004	
				Month	Day	Year	
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	18d	Post Office Address (Insert complete mailing address, including country)	<u>1-11</u>	-9-1301, Chodo, Higashi	osaka-shi, Osaka 577-00	56 Japan	
2	13e	Typewritten Full Name of Eleventh Inventor		Junji Given Name	Middle Name	MORITA Family Name	
	14e	Inventor's Signature	Λ	Timje		mouto.	
1	15e	Date of Signature	٨	Detobey Month	4th Day	2004 Year	
	16e	Residence	—	Moriguchi-shi City	Osaka State or Province	Japan JP. Country	X
	17e	Citizenship]	<u> Iapan</u>		- Control of the Cont	
	18e	Post Office Address _(Insert complete mailing address, including country)	Roon Japa	•	5, Hashibahigashinomacl	hi, Moriguchi-shi, Osaka 570-	<u>)03</u>

^{*}Note to Inventor: Please sign name on line 14 exactly as it appears in line 13 and insert the actual date of signing on line 15. If there are more than four inventors, please add a copy of this page for identification and signatures for the additional inventors.

INSTRUCTIONS FOR COMPLETION OF THIS FORM

line 1 Insert the same title as is used on the specification and in the assignment.

line 2 Is optional but is provided so that you can use it to identify more readily an application prior to the time that the Patent Office application serial number is assigned. We suggest that the specification, drawings and declaration always bear a file number since it can help to get the papers together in case they become inadvertently separated. In instances where the specification is filed without a signed declaration form (under 37 CFR §1.53) a file number on a later-received separate form will assist us in associating it with the correct case.

line 3 Check this box if the specification, claims and drawing (if any) are attached to this declaration form, e.g., when filing a new patent application.

lines 4-5 Are only used in an instance where the application is already on file and the declaration from is being separately filed, e.g., when the application was originally filed without a signed declaration or where the Patent Office has required a new declaration because of a deficiency in the original declaration. In such an instance the Patent Office will require that lines 4 and 5 be completed with the filing date and application serial number already assigned.

line 6 Is used in conjunction with line 5 but only when there have been one or more amendments to the specification or claims. Line 6 is also used when the Examiner requires a new declaration because claims inserted by amendment cover subject matter not originally claimed (37 CFR §1:67).

lines 7-10 Are for PCT (Patent Cooperation Treaty) cases and are used <u>only</u> when you are entering the U.S. National phase (Chapter I or II) based upon a previously filed PCT International application designating the U.S.

line 7 Check this box if this is a PCT National Phase application.

line 8 Insert PCT International application number.

line 9 Insert date of filing of PCT International application.

line 10 Insert the date of all amendments filed in the PCT International application. Such amendments are optional, so this line at times will not be used.

line 11a Is used in the following instances:

(i) If a single priority is being claimed from a foreign application you need to list only the first-filed application; you do not need to list other countries if all applications were filed within one year of the U.S. filing.

(ii) If multiple priorities are being claimed, from a plurality of applications filed in one or more countries, you must list the first filed application for each aspect of the invention. Example: if aspect A of the invention was disclosed in an application filed 11 months earlier in country X and aspect B was disclosed 9 months earlier in an application filed in country Y, then the applications in both countries X and Y must be identified. Only the first application for each aspect of the invention needs to be identified provided all applications on that aspect were filed within one year prior to the U.S. filing.

(iii) If a <u>non-priority</u> application is being filed you must list <u>all</u> applications in all countries where corresponding foreign pplications were filed <u>more than one year</u> prior to the U.S. filing. This is so the Examiner can check to see if any of those applications were published or patented early enough to be prior art against the U.S. application.

(iv) If there are more than two applications to be listed we suggest that you type in on this form only "See attached Schedule A" and then list all of the previous applications on an attached sheet.

line 11b Is used to claim priority under 35 USC §119(e) based on a provisional application filed within one year of the filing of the instant application. More than one provisional application may be identified provided neither was filed more than one year earlier.

line 12 This block is used only in instances where there is a previously filed <u>U.S.</u> non-provisional application which was copending at the time the present application was (or is being) filed. that previous application could be a U.S. non-provisional application or the National Phase of a PCT allocation. In such a case the present application may be entitled to the priority of the previous application's U.S. filing date (and consequently the foreign priority thereof) provided the present application is identified as a continuing application (continuation, divisional or continuation-in-part) of the earlier (parent) application. If the foregoing is applicable, please fill in one line for each such prior application.

line 13 Type the inventor's proper legal name in the order specified, e.g., "John B. JONES" or "J. Bob JONES" if the inventor so prefers. It is <u>not</u> acceptable to use only initials such as "J. B. JONES."

line 14 The inventor's "signature" may be his (or her) usual manner of signing but it is preferable that the inventor simply write his (or her) name in his (or her) own cursive handwriting in the same order as on line 14, e.g., given name, middle initial and Family name.

line 15 Insert the <u>actual</u> date of signature.

line 16 Insert simply the city and state or country, e.g., "Paris, France", of the inventor's <u>residence</u>, not citizenship. No street address or postal code is required on this line.

line 17 Insert the inventor's citizenship. The statement of citizenship (or subject of) is a statutory requirement (35 USC §115).

Simply the name of the country of citizenship, e.g., "Japan" is sufficient.

line 18 Insert the inventor's mailing address. The purpose of requiring the post office address is to enable the Patent Office to communicate directly with the inventor if desired, such as in the case of death of the U.S. attorney. It should be the address where the inventor customarily receives his (or her) mail and should include the postal code. If applicable it can be the inventor's business address or address at place of employment.

Applicants are reminded that the U.S. Patent and Trademark Office has very strict requirements as to proper execution of an application. The applicant should make sure that he reviews the declaration, prior to signing to make sure the declaration properly identifies the application and all relevant information; and should review the specification and claims (including drawings, if any) before signing the declaration. Failure to do so will require the filing of a supplemental declaration --- 37 CFR §1.67(c).

Any handwritten changes to the specification, claims or drawings must be in ink personally by all of the inventors <u>prior to</u> signing the declaration and the adjacent left margin must be initialed and dated by all of the inventors, e.g., "JBJ 6-9-91".

Please let us know if there are any questions regarding proper completion of this form. Thank you.

An assignment, a separate document requiring separate signature and dating may be enclosed. Please look for it and sign and date it in the same manner as in lines 15 and 16 above.

²⁰⁰⁰ STEVENS, DAVIS, MILLER & MOSHER, L.L.P.